

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

METROPOLITAN LIFE INSURANCE COMPANY,

Plaintiff,

Hon. Hugh B. Scott

v.

04CV804A

Order

BEVERLY GALLAGHER, et al.,

Defendants.

Before the Court is plaintiff Metropolitan Life Insurance's motion for interpleader relief to deposit \$13,050.00 plus contract interest (if any) from August 28, 2003, into the Court (Docket No. 11). Only defendant Beverly Gallagher has filed an Answer (Docket No. 8), and responded to this motion (Docket Nos. 17-20), only objecting to plaintiff's attorney fee application within its interpleader motion (Docket No. 20, Reply Decl. ¶¶ 6, 7). At a status conference on April 28, 2005 (see Docket No. 21), plaintiff stated that it would not argue for those fees.

Plaintiff's motion for interpleader relief is **granted**; plaintiff is to pay into the Court \$13,050.00 plus whatever contract interest has accrued from August 28, 2003. Chambers again

shall send a copy of the order to the defendants who have yet to formally appear at the addresses indicated in plaintiff's certificate of service.

So Ordered.

s/HBS
Hon. Hugh B. Scott
United States Magistrate Judge

Dated: Buffalo, New York
April 28, 2005